

REMARKS

Applicant respectfully requests reconsideration of this application as amended.

Office Action Rejections Summary

Claims 1, 2, 4, 5, 20, 21, 32, 33, 35, 46-51, 68 and 69 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,959,972 of Hamami ("Hamami").

Claims 6-10, 12-15, 22-26, 28-31, 36-43, 52-55, 57, 62-67 and 71-77 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of U.S. Patent No. 6,262,986 of Oba et al. ("Oba").

Claims 11, 27, 56 and 66 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of Oba, and further in view of U.S. Patent No. 6,097,722 of Graham et al. ("Graham").

Claims 18 and 44 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of Graham.

Claims 3, 34 and 70 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of U.S. Patent No. 6,538,988 of Natarajan et al. ("Natarajan").

Claims 16 and 17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of the Admitted Prior Art.

Claim 20 has been objected to for minor informalities.

Claims 19 and 45 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Status of Claims

Claims 1-81 are pending in the application. No claims have been amended. The amended claims are supported by the specification. Claims 78-81 have been added. No new matter has been added. No claims have been canceled.

Claim Rejections

Claim 20 has been objected to for minor informalities. In particular, the Office Action states “the limitations of this claim is duplicated of claim 4.” (Office Action, 7/24/03, p. 2.).

Applicant respectfully disagrees with such an assertion.

Claim 4 recites:

The system according to claim 1, wherein said transmitter switch further comprises **a transmitter line card** *coupled to said first end of each link* of said plurality of links.

(emphasis added)

Claim 20 recites:

The system according to claim 1, wherein said transmitter switch further comprises **a plurality of transmitter line cards, each transmitter line card** being *coupled to said first end of a corresponding link* of said plurality of links.

(emphasis added)

As can be seen for the highlight claim language above, the limitations of claim 20 are not duplicative of claim 4. Therefore, applicant respectfully request that the objection be withdrawn.

Claims 1, 2, 4, 5, 20, 21, 32, 33, 35, 46-51, 68 and 69 have been rejected under 35 U.S.C. §102(e) as being anticipated by Hamami. Applicant submits that claim 1 is patentable over the cited reference.

Claim 1 recites:

A system for protecting a network comprising:
a plurality of links located in said network;
a transmitter switch, coupled to a first end of each link of said plurality of links, for **transmitting distinct data along each link** of said plurality of links;
and
a receiver switch, coupled to a second end of each link of said plurality of links, for receiving said distinct data from each link of said plurality of links;
wherein said distinct data transmitted along one link of said plurality of links is switched to another link of said plurality of links when a failure is detected on said one link.

(emphasis added)

Hamami discloses (at the passage cited to by the Office Action) that “under normal operating conditions, traffic is sent between switch #1 and switch #2 **via the main link**. The **backup link remains** relatively **idle** ready for use in the event the main link fails. When a failure occurs on the main link or either of the two ports on either side of the main link, the traffic originally traveling over the main link is switched to the backup link. The switch over occurs automatically and relatively quickly. When the main link is restored, the **traffic is then switched back to the main link** and the **backup link** and associated ports are **put into standby mode once again**.” (Hamami, col. 4, lines 39-49)(emphasis added).

As such, all the data is transmitted over only one link: **either** the main link or the backup link during any given transmission, **but not both** at the same time. Such a network configuration is similar to that discussed in the background of the present application where if one of the links in an ATM network fails, the transmitted cells of information are re-routed using other links in order to avoid loss in data. This is a type of network redundancy in which the backup, or standby, bandwidth is usually unused resulting in 50% efficiency.

In contrast, claim 1 recites “transmitting **distinct data along each link.**” Nothing in Hamami discloses transmitting and receiving distinct data over each link of a plurality of links.

Given that claims 2, 4, 5, 20 and 21 depend from claim 1, applicants submit that claims 2, 4, 5, 20 and 21 are also patentable over the cited reference.

For reasons similar to those given above with respect to claim 1, applicant submits that claims 32, 33, 35, 46-51, 68 and 69 are patentable over the cited reference. ✓

Claims 6-10, 12-15, 22-26, 28-31, 36-43, 52-55, 57, 62-67 and 71-77 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of Oba. Applicant respectfully submits that Oba fails to cure the deficiency noted above with respect to claim 1 and, therefore, claims 6-10, 12-15, 22-26, 28-31, 36-43, 52-55, 57, 62-67 and 71-77 are patentable over the cited references.

Claims 11, 27, 56 and 66 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of Oba, and further in view of Graham. Claims 18 and 44 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of Graham. Applicant respectfully submits that Graham fails to cure the deficiency noted above with respect to claim 1 and, therefore, claims 11, 27, 56 and 66 and 18 and 44 are patentable over the cited references.

Claims 16 and 17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of the Admitted Prior Art. Applicant respectfully submits that Hamami fails to cure the deficiency noted above with respect to claim 1 and, therefore, claims 16 and 17 are patentable over the cited reference.

Statement Concerning Common Ownership/Obligation of Assignment

Claims 3, 34 and 70 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamami in view of Natarajan. Applicants submit that the present application and Natarajan were, at the time of the invention of the present application, owned by or subject to an obligation of assignment to Cisco Technology, Inc. As such, Natarajan may not be used in rejecting claims of the present application under 35 U.S.C. § 103(c). Therefore, applicants request that the rejection with respect to claims 3, 34 and 70 be withdrawn.

In conclusion, applicant respectfully submits that in view of the arguments set forth herein, the applicable objections and rejections have been overcome.

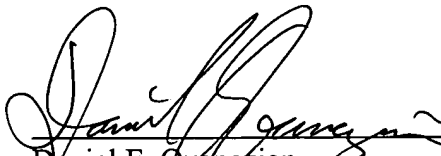
If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Daniel Ovanezian at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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